

**REMARKS**

Claims 1 and 3-18 are pending. By this Amendment, Claims 1, 6, 9 and 14 are amended. Support for the amendments is provided by the originally filed application, for example, in original dependent Claim 6, page 9, lines 11-24 and Figure. Thus, Applicants respectfully submit that no new matter is presented herein.

**Entry of Response is Proper**

Entry of this Amendment is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issues requiring further search and/or consideration on the part of the Examiner since Claim 1 is amended merely to incorporate features previously recited in Claim 6 and previously considered by the Examiner and Claims 9 and 14 are amended to further clarify the upward and downwardly bent/extending arrangement of the first and second plates, which are features previously recited therein and previously considered by the Examiner; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to objections raised in the Final Rejection. Entry of the Amendment is thus respectfully requested.

**Claim Rejections – 35 U.S.C. §102/§103**

Claims 1, 3-6 and 14-16 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,865,200 to Sullivan et al. (Sullivan). Claims 9-10 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sullivan. Claims 7-8, 11-12 and 17-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sullivan as applied to Claims 1, 6, 9 and 14 above, and further in view of U.S. Patent No. 5,975,307 to Harding et al. (Harding). Applicants respectfully traverse all three rejections for the following reason(s).

Claims 1, 9 and 14 recite a packing box having an inner plate that includes, *inter alia*, a main plate; a set of first plates which bendably extend parallel to each other from a first edge defined at each of opposing first ends of the main plate; and a set of second plates which bendably extend parallel to each other from a second edge defined at each of opposing second ends of the main plate, wherein the first plates only extend upwardly relative to the main plate and the second plates only extend downwardly relative to the main plate and in a direction opposite to the first plates. Put simply, first plates only extend in a first direction (i.e., upward) from the main plate while the second plates only extend in a second direction (i.e., downward) from the main plate and in a direction that is opposite to the direction in which the first plates are extending. Applicants respectfully note that Figure 5 of the instant application clearly illustrate the described structural feature recited by base Claims 1, 9 and 14.

Applicants respectfully submit that Sullivan and Harding, alone or in any combination thereof, fail to disclose, teach or otherwise suggest such features.

For example, the corner side walls (19) extend from the surface wall (12) of the support member (10) in the same direction. See Figure 1 of Sullivan. Similarly, with the embodiment(s) illustrated in Figures 3-4, Sullivan clearly teaches all four corner side walls (48) extend in a common (i.e., upward) direction relative to the body of the support member (41). That is, Applicants respectfully submit that none of the embodiments disclosed by Sullivan disclose, teach or otherwise suggest a first set of side walls (19) or corner side walls (41) that extend upward relative to the surface wall (12) of the support member (10 or 41) while a second set of side walls (19) or corner side walls (41) extend downward relative to the surface wall (12) of the support member (10 or 40) as they would have to do in order to correspond to the features recited by Claims 1, 9 and 14 of the instant application.

Moreover, Applicants respectfully note that Figure 2 of Sullivan illustrates two (2) support members (10 or 40) which are arranged in a back-to-back arrangement and therefore also does not teach or suggest that which is recited by Claims 1, 9 and 14 of the instant application.

Additionally, Applicants respectfully note that Sullivan clearly teaches the corner side walls 19 and 48 extend from first **and** second edges and not a single (i.e., either a first or a second, not both) edge.

Put simply, the embodiments illustrated in Figures 1-4 of Sullivan do not disclose, teach or otherwise suggest that which is recited by Claims 1, 9 and 13 of the instant application.

As for Harding, Applicants note that in the embodiment of Figures 1-4, there is only a single first plate (30) extending from each of the opposing first ends of the main

body (14) and a single second plate (26) extending from each of the opposing second ends of the main body (14). Moreover, the embodiments illustrated in Figures 5-12 do not extend **only** in a first direction and only in a second direction given the tubular beams (50) and brace panels (23) defined by the second plates (52) and (222), respectively.

To qualify as prior art under 35 U.S.C. §102, each and every feature recited by a rejected claim must be disclosed or suggested by the applied art of record. Furthermore, to establish *prima facie* obviousness, each and every feature recited by the rejected claim must be taught or suggested by the applied art of record.

As explained above, Sullivan and Harding, alone or in any combination thereof, fail to disclose, teach or suggest each and every feature recited by Claims 1, 9 and 14. Therefore, Applicants respectfully submit that Claims 1, 9 and 14 are not anticipated by, or rendered obvious in view of Sullivan and Harding.

Accordingly, Applicants respectfully submit that Claims 1, 9 and 14 should be deemed allowable.

Claims 3-8 depend from Claim 1. Claims 10-13 depend from Claim 9. Claims 15-18 depend from Claim 14.

It is respectfully submitted that these dependent claims be deemed allowable for at least the same reasons Claims 1, 9 and 14, respectively, are allowable, as well as for the additional subject matter recited therein.

Applicants respectfully request withdrawal of all three rejections.

**Conclusion**

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of Claims 1 and 3-18, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107391.00005.**

Respectfully submitted,  
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